

# **EXHIBIT 2**

1 George A. Zelcs (*pro hac vice*)  
gzelcs@koreintillery.com  
2 Robert E. Litan (*pro hac vice*)  
rlitan@koreintillery.com  
3 Randall P. Ewing, Jr. (*pro hac vice*)  
rewing@koreintillery.com  
4 Jonathon D. Byrer (*pro hac vice*)  
jbyrer@koreintillery.com  
5 **KOREIN TILLERY, LLC**  
205 North Michigan, Suite 1950  
6 Chicago, IL 60601  
Telephone: (312) 641-9750  
7 Facsimile: (312) 641-9751

8 Stephen M. Tillery (*pro hac vice*)  
stillery@koreintillery.com  
9 Jamie Boyer (*pro hac vice*)  
jboyer@koreintillery.com  
10 Michael E. Klenov, CA Bar #277028  
mklenov@koreintillery.com  
11 Carol O'Keefe (*pro hac vice*)  
cokeefe@koreintillery.com  
12 **KOREIN TILLERY, LLC**  
13 505 North 7th Street, Suite 3600  
14 St. Louis, MO 63101  
Telephone: (314) 241-4844  
15 Facsimile: (314) 241-3525

16 Karma M. Giulianelli, CA Bar #184175  
karma.giulianelli@bartlitbeck.com  
17 Glen E. Summers, CA Bar # 176402  
glen.summers@bartlitbeck.com  
18 Jameson R. Jones (*pro hac vice*)  
Jameson.jones@bartlitbeck.com  
19 **BARTLIT BECK LLP**  
20 1801 Wewetta St. Suite 1200,  
Denver, Colorado 80202  
21 Telephone: (303) 592-3100  
Facsimile: (303) 592-3140  
22 *Attorneys for Plaintiffs and the Proposed*  
23 *Class in Carr v. Google, LLC, et al.*

Peggy J. Wedgworth (*pro hac vice*)  
pwedgworth@milberg.com  
Robert A. Wallner (*pro hac vice*)  
rwallner@milberg.com  
Elizabeth McKenna (*pro hac vice*)  
emckenna@milberg.com  
Blake Yagman (*pro hac vice*)  
byagman@milberg.com  
Michael Acciavatti (*pro hac vice*)  
macciavatti@milberg.com  
**MILBERG PHILLIPS GROSSMAN LLP**  
100 Garden City Plaza, Suite 500  
Garden City, New York 11530  
Telephone: 212-594-5300  
Facsimile: 212-868-1229  
*Counsel for Plaintiffs and the Proposed Class*  
*in Bentley v. Google LLC, et al.*

Elizabeth C. Pritzker, CA Bar#146267  
ecp@pritzkerlevine.com  
Bethany Caracuzzo, CA Bar#190687  
bc@pritzkerlevine.com  
Caroline Corbitt, CA Bar #305492  
ccc@pritzkerlevine.com  
**PRITZKER LEVINE, LLP**  
1900 Powell Street, Suite 450  
Emeryville, CA 94608  
Telephone: (415) 805-8532  
Facsimile: (415) 366-6110  
*Counsel for Plaintiffs and the Proposed Class*  
*in Carroll v. Google, LLC, et al.*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

*In re Google Play Consumer Antitrust  
Litigation*

CASE NO. 3:20-CV-05761 JD

*Related Actions:*  
*Epic Games, Inc. v. Google, LLC*; 3:20-CV-  
05671-JD  
*In re Google Play Developer Antitrust  
Litigation*, 3:20-CV-5792-JD

**DECLARATION OF JAMIE L. BOYER IN  
SUPPORT OF MOTION FOR  
APPOINTMENT OF INTERIM LEAD  
COUNSEL**

DATE: December 31, 2020  
TIME: 10 a.m.  
COURTROOM: Via Zoom  
JUDGE: Hon. Judge Donato

I, Jamie L. Boyer, declare as follows:

1. I am an attorney with the law firm of Korein Tillery LLC (“Korein Tillery”) and am one of the attorneys representing Plaintiffs in this action. I am admitted *pro hac vice* to practice in this Court.

2. I submit this declaration in support of Plaintiffs’ Motion to Appoint Interim Class Counsel. The contents of this declaration are based on my personal knowledge. If called as a witness, I could and would competently testify thereto.

3. On November 20, 2020, the Court issued its Order Regarding Consolidation which stated “Plaintiffs seek leave to file a motion to appoint interim lead counsel pursuant to Federal Rule of Civil Procedure 23(g)(3). Dkt. No. 77. The request to file the motion is granted.” (*Carr* Dkt. 78). The Order also consolidated six consumer class actions into *In re Google Play Consumer Antitrust Litigation*. (*Id.*)

4. On November 20, 2020, after the Court entered its Order, I, among others, received communications Mr. Mark Molumphy from Cotchett, Pitre & McCarthy LLP (“Cotchett”), who filed the complaint in *McNamara v. Google, LLC, et al.*, 5:20-CV-07361, and Mr. Laurence King from Kaplan Fox & Kilsheimer LLP (“Kaplan”), who filed the complaint in *Herrera v. Google*,

1 LLC, 5:20-CV-07365. These communications requested a conference call to “coordinate our  
2 respective motions for lead counsel” (*McNamara*) and “coordinate lead counsel motions”  
3 (*Herrera*). (Ex. A, Letter Molumphy to Counsel; Ex. B, Email King to Counsel). The earliest date  
4 given for a conference call was Wednesday, November 25, 2020, with alternate dates of Friday,  
5 November 27 or the following week also offered. (*Id.*)

6 5. I reached out to counsel for the consolidated consumer cases on November 21, 2020,  
7 asking to speak on Monday, November 23, 2020, as opposed to Wednesday or Friday of that week.  
8 (Ex. C, Email Chain Between Boyer and Counsel).

9 6. I received no response, so I sent a follow up email to counsel for the consolidated  
10 consumer cases on November 22, 2020, again requesting a call on Monday, November 23, 2020.  
11 (*Id.*)

12 7. Counsel for several of the consolidated consumer cases responded that they had  
13 conflicts on that date and again indicated Wednesday, November 25, 2020 was the earliest they  
14 could speak. (Ex. D, Responses to Boyer 11/22/20 Email).

15 8. As the primary issue appeared to be a briefing schedule for lead counsel motions, I  
16 responded that same day—November 22, 2020—and indicated our intent to re-file the Motion to  
17 Appoint Interim Lead Counsel on Monday, November 23, 2020. (Ex. E, Email Chain Between  
18 Boyer and Counsel). I further indicated that we remained willing to speak with counsel for the  
19 consumer cases on Wednesday or earlier. (*Id.*)

20 9. No other counsel suggested an alternative briefing schedule via e-mail. Instead, they  
21 reiterated the desire to speak no sooner than Wednesday, November 25, 2020. (*Id.*)

22 10. Consistent with my email of November 22, 2020, counsel for the parties filing the  
23 Motion to Appoint Interim Lead Counsel intend to participate in good faith in the call among  
24 consumer counsel currently scheduled for November 25, 2020. In the event the parties reach  
25 consensus regarding a proposed leadership structure, the moving parties will withdraw their Motion  
26 to Appoint Interim Lead Counsel.

/S/ Jamie L. Boyer  
Jamie L. Boyer

# EXHIBIT A

LOS ANGELES

LAW OFFICES  
COTCHETT, PITRE & McCARTHY, LLP  
SAN FRANCISCO AIRPORT OFFICE CENTER  
840 MALCOLM ROAD  
BURLINGAME, CALIFORNIA 94010  
TELEPHONE (650) 697-6000  
FAX (650) 697-0577  
cpmlegal.com

NEW YORK

November 20, 2020

**TO: CASE and PRIMARY LAWYERS**

Carr (Korein Tillaey) George Zelcs: [gzelcs@koreintillery.com](mailto:gzelcs@koreintillery.com);  
Jamie L Boyer: [jboyer@koreintillery.com](mailto:jboyer@koreintillery.com)  
Bentley (Milberg) Peggy Wedgworth: [pwedgworth@millberg.com](mailto:pwedgworth@millberg.com)  
Carroll (Pritzker Levine) Elizabeth Pritzker: [ecp@prtizkerlevine.com](mailto:ecp@prtizkerlevine.com)  
Herrera (Kaplan Fox) Larry King: [lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
Gamble (Gibbs) Eric Gibbs: [ehg@classlawgroup.com](mailto:ehg@classlawgroup.com);  
Andre Mura: [amm@classlawgroup.com](mailto:amm@classlawgroup.com)  
Roberts (Saveri) R. Alexander Saveri: [rick@saveri.com](mailto:rick@saveri.com)  
Esquivel (Brown George) Eric George: [egeorge@bgrfirm.com](mailto:egeorge@bgrfirm.com);  
Maribeth Annaguey: [mannaguey@bgrfirm.com](mailto:mannaguey@bgrfirm.com)  
Paige (Cuneo Gilbert) Jonathan Cuneo: [jonc@cuneolaw.com](mailto:jonc@cuneolaw.com)

**Re: GOOGLE CONSUMER CASES – ANDROID MOBILE APP**

**Dear Friends,**

With the MDL Request now filed concerning the above cases, we should reconvene on a conference call to see if we could coordinate our respective motions for lead counsel before Judge Donato.

On November 17, 2020, Counsel for CARR and BENTLEY filed a document with the court, Plaintiffs' Statement Re: "Consolidation of Consumer Class Action Complaints." On November 20, the Court ordered Consolidation and the right to file interim lead counsel motions.

Please give us dates and times for a conference call after Tuesday, November 24, 2020.

Thank you in advance,

/s/ Mark C. Molumphy  
MARK C. MOLUMPY  
Counsel for Plaintiff Brian McNamara  
No. 3:20-cv-07361-JD

cc: Noorjahan Rahman  
Joseph W. Cotchett

# **EXHIBIT B**



**Boyer, Jamie**

---

**From:** Laurence King <LKing@kaplanfox.com>  
**Sent:** Friday, November 20, 2020 7:52 PM  
**To:** Mark Molumphy  
**Cc:** Patrice Omalley; Zelcs, George; Boyer, Jamie; ecp@pritzkerlevine.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; jonc@cuneolaw.com; Wedgworth, Peggy; Noorjahan Rahman; Joseph Cotchett; Jeanine Acosta; Zyres Agudelo; Jeanine Toomey; Robert Kaplan; Fred Fox; Hae Sung Nam; Donnie Hall; Aaron Schwartz; Mario M. Choi  
**Subject:** Re: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

On behalf of Plaintiff Herrera, we agree that a call to coordinate lead counsel motions makes sense. We can be available anytime on November 25 or 27, as well as dates and times the following week.

Larry King

Laurence D. King  
Kaplan Fox & Kilsheimer LLP  
(415) 772-4700

On Nov 20, 2020, at 5:31 PM, Mark Molumphy <MMolumphy@cpmlegal.com> wrote:

Corrected email addresses. Please use this for responses. Thanks.

From: Patrice Omalley <POmalley@cpmlegal.com>  
Sent: Friday, November 20, 2020 5:25 PM  
To: gzelcs@koreintillery.com; jboyer@koreintillery.com; pwedgworth@millberg.com; ecp@prtizerlevine.com; lking@kaplanfox.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; jonc@cuneolaw.com  
Cc: Mark Molumphy <MMolumphy@cpmlegal.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>  
Subject: RE: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

Counsel,

Please see the attached correspondence from Mark Molumphy concerning the above matter.

Thank you,  
Patrice O'Malley

Patrice O'Malley  
Executive Assistant to Joseph W. Cotchett  
and Nanci E. Nishimura  
COTCHETT PITRE & MCCARTHY LLP <<https://www.cpmlegal.com/>> A LITIGATION LAW FIRM – SAN FRANCISCO, LOS ANGELES, NEW YORK  
840 Malcolm Road, Suite 200 | Burlingame, CA 94010

Tel: (650) 697-6000 ex: 214 | Fax: (650) 697-0577 | Email: pomalley@cpmlegal.com<mailto:pomalley@cpmlegal.com>

CONFIDENTIALITY NOTICE: This email is covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This email and any documents accompanying this email contain legally privileged and confidential information belonging to the sender. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this email communication is strictly prohibited. If you have received this email in error, please notify us immediately by telephone or email and permanently delete the email, any attachments, and all copies thereof from any networks, drives, cloud, or other storage media and please destroy any printed copies of the email or attachments. Neither this email nor the contents thereof are intended to nor shall create an attorney-client relationship between Cotchett, Pitre & McCarthy, LLP and the recipient(s), and no such attorney-client relationship shall be created unless established in a separate, written retainer agreement or by court order.

# **EXHIBIT C**

**Boyer, Jamie**

---

**Subject:** FW: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

---

**From:** Boyer, Jamie

**Sent:** Sunday, November 22, 2020 10:05 AM

**To:** 'Jon Cuneo' <JonC@cuneolaw.com>; 'Mark Molumphy' <MMolumphy@cpmlegal.com>

**Cc:** 'Patrice Omalley' <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; 'ecp@pritzkerlevine.com' <ecp@pritzkerlevine.com>; 'lking@kaplanfox.com' <lking@kaplanfox.com>; 'ehg@classlawgroup.com' <ehg@classlawgroup.com>; 'amm@classlawgroup.com' <amm@classlawgroup.com>; 'rick@saveri.com' <rick@saveri.com>; 'egeorge@bgrfirm.com' <egeorge@bgrfirm.com>; 'mannaguey@bgrfirm.com' <mannaguey@bgrfirm.com>; Wedgworth, Peggy <pwedgworth@milberg.com>; 'Noorjahan Rahman' <NRahman@cpmlegal.com>; 'Joseph Cotchett' <JCotchett@cpmlegal.com>; 'Jeanine Acosta' <JAcosta@cpmlegal.com>; 'Zyres Agudelo' <ZAgudelo@cpmlegal.com>; 'Jeanine Toomey' <JToomey@cpmlegal.com>

**Subject:** RE: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

Good Morning Everyone,

I am just following up on my email below. I take it from Rick's response that he is available to talk tomorrow, but I have not received a response from anyone else regarding a call on Monday at 10 Pacific. Please let me know if that time works and I'll send around a call-in number.

Thanks,  
Jamie

---

**From:** Boyer, Jamie

**Sent:** Saturday, November 21, 2020 12:00 PM

**To:** 'Jon Cuneo' <JonC@cuneolaw.com>; Mark Molumphy <MMolumphy@cpmlegal.com>

**Cc:** Patrice Omalley <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; ecp@pritzkerlevine.com; lking@kaplanfox.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy <pwedgworth@milberg.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>

**Subject:** RE: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

Good Morning,

We would like to speak on Monday if that works for everyone. Are people available at 10 a.m. Pacific?

Thanks,  
Jamie

# EXHIBIT D

**Boyer, Jamie**

---

**Subject:** GOOGLE CONSUMER CASES - ANDROID MOBLE APP

---

**From:** Mark Molumphy [mailto:MMolumphy@cpmlegal.com]  
**Sent:** Sunday, November 22, 2020 10:11 AM  
**To:** Boyer, Jamie <JBoyer@KoreinTillery.com>  
**Cc:** Jon Cuneo <JonC@cuneolaw.com>; Patrice Omalley <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; ecp@pritzkerlevine.com; LKing@kaplanfox.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy <pwedgworth@milberg.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>  
**Subject:** Re: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

Hi Jamie, the original email suggested after Tuesday because of conflicts. Can you let us know if you're available Wednesday or Friday. I've heard back from some others as well with Monday and Tuesday conflicts. Still waiting to hear on a couple of others. I will send around a call and once we can confirm a time. Thanks.

On Nov 22, 2020, at 8:04 AM, Boyer, Jamie <JBoyer@koreintillery.com> wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
---

Good Morning Everyone,

I am just following up on my email below. I take it from Rick's response that he is available to talk tomorrow, but I have not received a response from anyone else regarding a call on Monday at 10 Pacific. Please let me know if that time works and I'll send around a call-in number.

Thanks,  
Jamie

Jamie Boyer  
Korein Tillery, LLC  
505 North 7th Street, Suite 3600  
St. Louis, MO 63101  
314-241-4844

-----  
This message is from a law firm and may contain privileged or confidential information for the sole use of the intended recipient(s). If you believe that you have received this email in error, please notify the sender immediately and delete it from your system. If you have received this email in error, you do not have permission to forward, print, copy or distribute or use the information in this message.  
-----

---

**From:** Boyer, Jamie

**Sent:** Saturday, November 21, 2020 12:00 PM

**To:** 'Jon Cuneo' <[JonC@cuneolaw.com](mailto:JonC@cuneolaw.com)>; Mark Molumphy <[MMolumphy@cpmlegal.com](mailto:MMolumphy@cpmlegal.com)>

**Cc:** Patrice Omalley <[POmalley@cpmlegal.com](mailto:POmalley@cpmlegal.com)>; Zelcs, George <[GZelcs@KoreinTillery.com](mailto:GZelcs@KoreinTillery.com)>;  
[ecp@pritzkerlevine.com](mailto:ecp@pritzkerlevine.com); [lking@kaplanfox.com](mailto:lking@kaplanfox.com); [ehg@classlawgroup.com](mailto:ehg@classlawgroup.com); [amm@classlawgroup.com](mailto:amm@classlawgroup.com);  
[rick@saveri.com](mailto:rick@saveri.com); [egeorge@bgrfirm.com](mailto:egeorge@bgrfirm.com); [mannaguey@bgrfirm.com](mailto:mannaguey@bgrfirm.com); Wedgworth, Peggy  
<[pwedgworth@milberg.com](mailto:pwedgworth@milberg.com)>; Noorjahan Rahman <[NRahman@cpmlegal.com](mailto:NRahman@cpmlegal.com)>; Joseph Cotchett  
<[JCotchett@cpmlegal.com](mailto:JCotchett@cpmlegal.com)>; Jeanine Acosta <[JAcosta@cpmlegal.com](mailto:JAcosta@cpmlegal.com)>; Zyres Agudelo  
<[ZAgudelo@cpmlegal.com](mailto:ZAgudelo@cpmlegal.com)>; Jeanine Toomey <[JToomey@cpmlegal.com](mailto:JToomey@cpmlegal.com)>

**Subject:** RE: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

Good Morning,

We would like to speak on Monday if that works for everyone. Are people available at 10 a.m. Pacific?

Thanks,  
Jamie

**Boyer, Jamie**

---

**Subject:** GOOGLE CONSUMER CASES - ANDROID MOBLE APP

---

**From:** Jon Cuneo [mailto:JonC@cuneolaw.com]

**Sent:** Sunday, November 22, 2020 10:13 AM

**To:** Boyer, Jamie <JBoyer@KoreinTillery.com>

**Cc:** Mark Molumphy <MMolumphy@cpmlegal.com>; Patrice Omalley <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; ecp@pritzkerlevine.com; lking@kaplanfox.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy <pwedgworth@milberg.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>

**Subject:** Re: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

I am in court at that time. Jon

Sent from my iPad

On Nov 22, 2020, at 11:04 AM, Boyer, Jamie <JBoyer@koreintillery.com> wrote:

Good Morning Everyone,

I am just following up on my email below. I take it from Rick's response that he is available to talk tomorrow, but I have not received a response from anyone else regarding a call on Monday at 10 Pacific. Please let me know if that time works and I'll send around a call-in number.

Thanks,  
Jamie

Jamie Boyer  
Korein Tillery, LLC  
505 North 7th Street, Suite 3600  
St. Louis, MO 63101  
314-241-4844

-----  
This message is from a law firm and may contain privileged or confidential information for the sole use of the intended recipient(s). If you believe that you have received this email in error, please notify the sender immediately and delete it from your system. If you have received this email in error, you do not have permission to forward, print, copy or distribute or use the information in this message.  
-----



**Boyer, Jamie**

---

**Subject:** GOOGLE CONSUMER CASES - ANDROID MOBLE APP

From: Laurence King [mailto:LKing@kaplanfox.com]  
Sent: Sunday, November 22, 2020 10:24 AM  
To: Boyer, Jamie <JBoyer@KoreinTillery.com>  
Cc: Jon Cuneo <JonC@cuneolaw.com>; Mark Molumphy <MMolumphy@cpmlegal.com>; Patrice Omalley <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; ecp@pritzkerlevine.com; ehg@classlawgroup.com; amm@classlawgroup.com; rick@saveri.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy <pwedgworth@milberg.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>; Robert Kaplan <RKaplan@kaplanfox.com>; Fred Fox <FFox@kaplanfox.com>; Donnie Hall <DHall@kaplanfox.com>; Hae Sung Nam <HNam@kaplanfox.com>  
Subject: Re: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

We have conflicts on Monday, but could speak 10am Pacific or another time on Wednesday.

Adding colleagues from my firm to this string.

Laurence D. King  
Kaplan Fox & Kilsheimer LLP  
(415) 772-4700

On Nov 22, 2020, at 8:04 AM, Boyer, Jamie <JBoyer@koreintillery.com> wrote:

Good Morning Everyone,

I am just following up on my email below. I take it from Rick's response that he is available to talk tomorrow, but I have not received a response from anyone else regarding a call on Monday at 10 Pacific. Please let me know if that time works and I'll send around a call-in number.

Thanks,  
Jamie

Jamie Boyer  
Korein Tillery, LLC  
505 North 7th Street, Suite 3600  
St. Louis, MO 63101  
314-241-4844

-----  
This message is from a law firm and may contain privileged or confidential information for the sole use of the intended recipient(s). If you believe that you have received this email in error, please notify the sender immediately and delete it from your system. If you have received this email in error, you do not have permission to forward, print, copy or distribute or use the information in this message.

# EXHIBIT E

**Boyer, Jamie**

---

**Subject:** GOOGLE CONSUMER CASES - ANDROID MOBLE APP

From: Mark Molumphy [mailto:MMolumphy@cpmlegal.com]

Sent: Sunday, November 22, 2020 7:49 PM

To: Laurence King <LKing@kaplanfox.com>

Cc: Boyer, Jamie <JBoyer@KoreinTillery.com>; Rick Saveri <rick@saveri.com>; Jon Cuneo <JonC@cuneolaw.com>; Patrice Omalley <POmalley@cpmlegal.com>; Zelcs, George <GZelcs@KoreinTillery.com>; ecp@pritzkerlevine.com; ehg@classlawgroup.com; amm@classlawgroup.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy <pwedgworth@milberg.com>; Noorjahan Rahman <NRahman@cpmlegal.com>; Joseph Cotchett <JCotchett@cpmlegal.com>; Jeanine Acosta <JAcosta@cpmlegal.com>; Zyres Agudelo <ZAgudelo@cpmlegal.com>; Jeanine Toomey <JToomey@cpmlegal.com>; Robert Kaplan <RKaplan@kaplanfox.com>; Fred Fox <FFox@kaplanfox.com>; Hae Sung Nam <HNam@kaplanfox.com>; Donnie Hall <DHall@kaplanfox.com>  
Subject: Re: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

It looks like we have consensus to talk on Wednesday. I will send around a call in number and we can discuss leadership, As the court requested us to do, and a schedule for lead motions If we are unsuccessful.

Jamie, I assume you will hold off filing anything until we discuss a schedule that works for for everyone. No doubt, the court will appreciate one schedule for all motions. Please also know what hearing dates you were thinking of given the holiday schedule.

Thanks.

> On Nov 22, 2020, at 2:04 PM, Laurence King <LKing@kaplanfox.com> wrote:

>

> The court asked us to try to reach agreement on a structure. We had hoped to begin that process. Sorry that you're not interested in having any discussion as the Court requested. And then if we weren't successful, we had hoped to discuss a briefing schedule for lead counsel motions. Apparently, you're not interested in discussing that either.

>

>

> Larry King

>

>

>

>

> Laurence D. King

> Partner

> Kaplan Fox & Kilsheimer LLP

> 1999 Harrison Street, Suite 1560

> Oakland, California 94612

> office (415) 772-4700

> cell (415) 722-3637

> fax (415) 772-4707

> email lking@kaplanfox.com<mailto:lking@kaplanfox.com>

> web www.kaplanfox.com<http://www.kaplanfox.com>

>

> The foregoing may be a privileged and confidential communication. If you are not an intended recipient, please destroy and/or delete all copies of this message, including attachments, and notify the sender immediately. Thank You.

>

> From: Boyer, Jamie <JBoyer@KoreinTillery.com>

> Sent: Sunday, November 22, 2020 1:21 PM

> To: 'Rick Saveri'; Mark Molumphy

> Cc: Jon Cuneo; Patrice Omalley; Zelcs, George; ecp@pritzkerlevine.com; Laurence King; ehg@classlawgroup.com; amm@classlawgroup.com; egeorge@bgrfirm.com; mannaguey@bgrfirm.com; Wedgworth, Peggy; Noorjahan Rahman; Joseph Cotchett; Jeanine Acosta; Zyres Agudelo; Jeanine Toomey

> Subject: RE: GOOGLE CONSUMER CASES - ANDROID MOBLE APP

>

> Since it looks like we won't be able to get on the phone before Wednesday, we figured it made sense to reach out now regarding our proposed briefing schedule. Our plan is to re-file our motion tomorrow, which under local rules would mean responses are due on December 7th (14 days later).

>

> If necessary, we are happy to speak on Wednesday when people are available, or earlier if people's schedules open up. For my part, I am available Wednesday at any time. If people would like to talk sooner, I am open tomorrow any time before noon and after 3 p.m. Central and any time on Tuesday.

>

> Thanks,

> Jamie

>

>

>

>

> Jamie Boyer

> Korein Tillery, LLC

> 505 North 7th Street, Suite 3600

> St. Louis, MO 63101

> 314-241-4844

>

> -----

> This message is from a law firm and may contain privileged or confidential information for the sole use of the intended recipient(s). If you believe that you have received this email in error, please notify the sender immediately and delete it from your system. If you have received this email in error, you do not have permission to forward, print, copy or distribute or use the information in this message.